

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DONALD HESS and ELIZABETH
PADILLA, individually and on behalf of
all others similarly situated,

Plaintiffs,

-against-

BED BATH & BEYOND INC.,

Defendant.

ANALISA TORRES, District Judge:

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: 5/25/2021

21 Civ. 4099 (AT)

**INITIAL PRETRIAL
CONFERENCE ORDER**

1. Counsel for all parties are directed to appear for an initial pretrial conference, in accordance with Rule 16 of the Federal Rules of Civil Procedure, at **10:00 a.m., on July 7, 2021**, to be held **telephonically**. The parties are directed to dial 888-398-2342 or 215-861-0674, and enter access code 5598827. Principal trial counsel must appear at this and all subsequent conferences.

2. **COUNSEL FOR PLAINTIFF IS DIRECTED TO IMMEDIATELY SEND A COPY OF THIS NOTICE AND THE COURT'S INDIVIDUAL PRACTICES TO ALL PARTIES.**

3. This case has been designated for electronic case filing. By the date of the initial pretrial conference, counsel for all parties are required to register as ECF filers and file a notice of appearance in accordance with the Electronic Case Filing Rules & Instructions (<https://nysd.uscourts.gov/electronic-case-filing>).

4. The parties are directed to submit a joint letter by **June 30, 2021**, addressing the following in separate paragraphs: (1) a brief description of the case, including the factual and legal bases for the claim(s) and defense(s), (2) any contemplated motions, and (3) the prospect for settlement. The parties shall set forth the date and time of the conference in the opening paragraph of the joint letter.

5. The parties are directed to submit with their joint letter a jointly proposed Case Management Plan and Scheduling Order. The parties are directed to consult the Court's Individual Practices and model Case Management Plan and Scheduling Order, which are available at <https://nysd.uscourts.gov/hon-analisa-torres>. The status letter shall be filed electronically on ECF, with a courtesy copy, clearly marked as such, e-mailed to chambers in accordance with the Court's Individual Practices (*See Rule I.B*). The proposed Case Management Plan and Scheduling Order shall be e-mailed to chambers (Torres_nysdchambers@nysd.uscourts.gov).

6. Requests for adjournment of the initial pretrial conference will be considered only if made in writing and in accordance with the Court's Individual Practices (*See Rule I.C*).

7. The parties are advised that the Court requires a pre-motion conference before a motion is filed (*See* Rules III.A–C).

8. If this case has been settled or otherwise terminated, counsel are required to notify the Court—**before the date of the conference**—by calling (212) 805-0292 and must e-mail a stipulation of discontinuance, voluntary dismissal, or other proof of termination to the Orders and Judgments Clerk (judgments@nysd.uscourts.gov).

SO ORDERED.

Dated: May 25, 2021
New York, New York



ANALISA TORRES
United States District Judge